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Counsel to Essex Bank

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE: LEWIS E. WILKERSON,

Debtor.

Case No. 20-34576-KLP
Chapter 11

ESSEX BANK,

Movant,

v.

LEWIS E. WILKERSON,

Respondent.

CONSENT ORDER

THIS DAY CAME the plaintiff, Essex Bank (“Essex”), by counsel, on its motion for relief from the automatic stay under § 362 of the Bankruptcy Code (the “Motion”); and

IT APPEARING to the Court that on or about June 26, 2019, Lewis E. Wilkerson (the “Debtor”) executed a Promissory Note in favor of Essex in the sum of \$200,000.00 (the “Note”).

IT APPEARING FURTHER that in connection with the Note, the Debtor executed a Commercial Security Agreement dated June 26, 2019, to secure the indebtedness owed under the Note (the “Commercial Security Agreement”).

IT APPEARING FURTHER that pursuant to the Commercial Security Agreement, the Debtor granted Essex a security interest in the equipment identified in **Exhibit A** attached hereto

(the “Collateral”) and that Essex maintains a fully perfected security interest in and against the Collateral as a result of the filing by Essex of its UCC-1 Financing Statement with the State Corporation Commission for the Commonwealth of Virginia.

IT APPEARING FURTHER that the Debtor consents to the relief requested in the Motion and has agreed to surrender the Collateral to Essex; and

IT APPEARING FURTHER that the relief requested is just and proper, and for good cause shown, it is hereby

ORDERED that

1. The Motion shall be, and it hereby is, granted and that Essex shall be, and it hereby is, granted relief from the automatic stay pursuant to § 362 of the Bankruptcy Code so that it may assert any and all of its rights and remedies with respect to the Collateral, whether available under its loan documents, state law or otherwise, and take any all actions to recover and foreclose on the Collateral;

2. The Debtor shall surrender the Collateral to Essex upon the request of Essex;

3. The relief granted by this Order, including, without limitation, the granting of relief from stay with respect to the Collateral, shall survive any conversion of the Debtor’s bankruptcy case and shall be enforceable with respect to any trustee that may be appointed in connection with the Debtor’s bankruptcy case or any conversion of such case;

4. For good cause shown, the stay of this Order provided by any Bankruptcy Rule, including, without limitation, Bankruptcy Rule 4001(a)(3), is hereby WAIVED, and this Order shall be effective and enforceable immediately upon its entry by the Court; and

5. The Clerk shall issue copies of this Order to all necessary parties indicated on the attached service list.

ENTERED: Apr 5 2021

/s/ Keith L Phillips
United States Bankruptcy Judge

Entered On Docket: Apr 5 2021

We ask for this:

/s/ Michael A. Condyles
Michael A. Condyles (VSB No. 27807)
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Seen and Agreed:

/s/ Hunter R. Wells
Robert A. Canfield, Esq. (VSB No. 16901)
Hunter R. Wells, Esq. (VSB. No. 82791)
Canfield Wells, LLP
4124 E. Parham Road
Henrico, VA 23228
Counsel to the Debtor

CERTIFICATION OF ENDORSEMENT

Pursuant to the Local Rules of this Court, I hereby certify that all necessary parties have endorsed this Order.

/s/ Michael A. Condyles

SERVICE LIST

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Suite 800
Richmond, VA 23219

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EXHIBIT A

DESCRIPTION OF COLLATERAL	SERIAL NO.
2010 Cat Dozer D6N	DJA01151
2014 Cat Dozer D6K	C8N21953
2014 Cat Knuckle Boom 559C	CAT0559CLKAS00425
2012 Cat Skidder 545C	CAT0545CA54501116
2015 Cat Dozer D6K	WMR00262
2013 Cat Skidder 545C	CAT0545CT54500992